

EXHIBIT B

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of Alleged Violations of
Article 12 of the New York State Navigation
Law, Article 17 of the New York State
Environmental Conservation Law, and Title 6,
Parts 611 to 614, 702 and 703, and Title 17, Part
32 of the New York Codes, Rules and
Regulations.

VEHICLE REFUELING
FACILITY ORDER ON
CONSENT

DEC File No.
R2-0015-93-04

- by -

THE CITY OF NEW YORK,

Respondent.

WHEREAS

I. PARTIES

1. The New York State Department of Environmental Conservation ("DEC") is a Department of the State of New York authorized to prevent and abate the pollution of the waters of the state caused by petroleum discharges, pursuant to Articles 3 and 17 of the Environmental Conservation Law ("ECL") and Parts 611 - 614, 702 and 703 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York ("6 NYCRR").

2. DEC is also authorized to regulate the storage, handling, and transport of petroleum, and to enforce the containment and remediation of petroleum spills and discharges, in the State of New York, pursuant to Article 12 of the Navigation Law, Part 32 of Title 17 of the Official Compilation of Codes, Rules and